

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Daniel Bernal-Solis

Case: 2:23-mj-30382

Assigned To : Unassigned

Assign. Date : 9/19/2023

CMP: USA v BERNAL-SOLIS (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 2012 through Dec. 2018 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2251	Sexual exploitation of children
18 U.S.C. § 2252A(a)(2)	Receipt of child pornography
18 U.S.C. § 2422(b)	Online enticement of a minor
18 U.S.C. § 1470	Transfer of obscene material to a minor under the age of 16

This criminal complaint is based on these facts:
see attached affidavit.

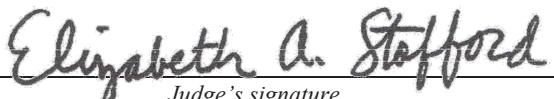
Continued on the attached sheet.



Complainant's signature

Eli Bowers, Special Agent (FBI)

Printed name and title



Judge's signature

Hon. Elizabeth A. Stafford, United States Magistrate Judge

Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: September 19, 2023

City and state: Detroit, Michigan

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Eli Bowers, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent of the Federal Bureau of Investigation (FBI) since 2015 and am currently assigned to the FBI Detroit Division. Prior to being employed by the FBI, I was employed as a Park Ranger with the National Park Service for approximately six years, where my duties included the enforcement and investigation of federal crimes. While employed by the FBI, I have investigated numerous federal criminal violations related to child exploitation and child pornography. I have received training in investigating internet fraud, computer intrusions, and matters involving the online sexual exploitation of children. I have gained experience through training at the FBI Academy, post Academy training, and everyday work related to conducting these types of investigations.

2. I have received training in the area of child pornography and child exploitation and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media, including computer media. Moreover, I am a federal law enforcement officer who is engaged in enforcing criminal laws, including 18 U.S.C. §§ 2251, 2252A, 2422 and 1470. I am authorized by law to request an arrest warrant.

3. This affidavit is submitted in support of an application for a criminal complaint and arrest warrant for Daniel Bernal-Solis. (hereinafter “Bernal-Solis”) for violations of 18 U.S.C. § 2251 (sexual exploitation of children), 18 U.S.C. § 2422(b) (online enticement of a minor), 18 U.S.C. § 2252A(a)(2) (receipt of child pornography), and 18 U.S.C. § 1470 (transfer of obscene material to a minor under the age of 16).

4. The statements contained in this affidavit are based in part on information provided by U.S. law enforcement officers, written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents, information gathered from investigative sources of information, and my experience, training, and background as a Special Agent.

5. This affidavit is submitted for the limited purpose of securing an arrest warrant. I have not included every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish probable cause that Bernal-Solis has violated the above-referenced offenses.

FACTS ESTABLISHING PROBABLE CAUSE

6. On September 28, 2021, a 21-year-old woman from Detroit, MI (MV1) called into the FBI National Threat Operations Center and reported that she had been groomed by an adult, Daniel Bernal-Solis, who was approximately 15 years older than her, to engage in sex acts from the time she was 13 years old until approximately

the age of 19. During this time, in addition to engaging in sexual intercourse, the victim and Bernal-Solis frequently exchanged nude images and videos via the internet. Bernal-Solis also took videos of his sexual encounters with the victim using his cellular device.

Forensic Interview of MV1

7. On October 12, 2021, MV1 was interviewed by an FBI Child/Adolescent Forensic Interviewer. MV1 provided the following information:

- a. Daniel Bernal-Solis worked security at a church located in Detroit, Michigan. MV1 and her family began attending the church when MV1 was two years old. When she was 13 years old, Bernal-Solis approached her outside of the church and asked her for her phone number. Bernal-Solis told MV1 to tell her parents he was tutoring her so that they could spend time alone.
- b. Bernal-Solis asked MV1 to be his girlfriend in July 2012, and first had sex with her in January 2013, when she was still 13 years old. MV1 was still in middle school at this time, and Bernal-Solis frequently picked her up from school. Bernal-Solis worked at a restaurant and used a food delivery van to pick her up. They often had sex in the back of this vehicle because the rear cargo area's windows were obscured from outside view.
- c. During their sexual encounters, Bernal-Solis called MV1 his "little girl," and wanted MV1 to call him "Daddy." Bernal-Solis frequently talked about how young MV1 was during intercourse. Throughout their six-year time engaging in sex acts, Bernal-Solis purchased MV1 phones so they could keep in contact with one another not only via traditional phone communication, but also via email and Facebook.

- d. Bernal-Solis and MV1 communicated frequently using various online platforms, to include Facebook. These online communications included sending nude images and videos back and forth to one another, as well as the exchange of videos depicting MV1 and Bernal-Solis masturbating.
- e. Bernal-Solis frequently requested images of MV1's nude breasts and vagina. MV1 often took these images with a cellular device and sent them through various communication platforms.
- f. During the course of this time, MV1 and Bernal-Solis used nicknames for their genitalia. "Pikachu" referred to MV1's vagina, while "Choco" referred to Bernal-Solis's penis.
- g. Bernal-Solis often recorded his in-person sexual encounters with MV1. Primarily, these recordings were made when MV1 was approximately 14 years old. After that, even though still engaged in sex acts, Bernal-Solis less frequently recorded their encounters because he felt she got "too old." If Bernal-Solis and MV1 were ever out in public, he would instruct her to tell everyone she was in college so they would not be suspicious of her age.
- h. Occasionally, Bernal-Solis showed MV1 videos of them having sex. These videos were kept a computer in his room. At one point, Bernal-Solis copied these videos to a USB drive and gave them to MV1 as a gift. Bernal-Solis told MV1 he liked to keep sex videos of all of his ex-girlfriends, including her. To date, MV1 has not yet been able to locate this USB drive, but has stated she will provide it to agents if it is found.

Search of MV1 Email Account

8. MV1 provided investigators access to her email account, which still contained pertinent messages regarding her prior relationship with Bernal-Solis. Upon initial review of the email account, investigators identified at least eight

images and one video of Child Sexual Abuse Material (CSAM) which was sent by MV1 to Bernal-Solis. The CSAM is summarized below:

- a. A video depicting a close-up of MV1's vagina while masturbating, which was sent by MV1 when she was 14 years old.
- b. An image depicting MV1 nude from the neck to the thighs, showing her breasts and pelvic area, sent when MV1 was 14 years old.
- c. Seven images depicting MV1 standing in the shower nude, sent by MV1 when she was 16 years old. The images depicted MV1 from her head to her mid thighs.

9. In addition to emails containing Child Sexual Abuse Material (CSAM) sent by MV1 to Bernal-Solis, there were also images sent by Bernal-Solis to MV1 of his erect penis, as well as videos of him masturbating. Bernal-Solis included his face in many of these images, and also sent a video, which was approximately one minute long, of Bernal-Solis masturbating, including ejaculation, which was sent via email. MV1 was 14 years old when Bernal-Solis sent these illicit images and video to her.

10. MV1's email account also contained numerous snapshots of Facebook chat communications which appeared to be sent automatically to MV1 as part of an automated notification system if MV1 did not respond within the Facebook application. The following are some of the messages sent by Bernal-Solis to MV1:

8/8/12 – 2:55 PM – Y r u ignoring me...

8/10/12 – 1:47 AM – Good night :) it was the wind huh

Sweet dreams

8/10/12 – 1:48 AM – (heart emoji)

8/11/12 – 2:51 PM – Hey Sweetie

8/11/12 – 7:16 PM – I miss u

8/11/12 – 9:44 PM – Message me when u can

8/18/12 – 2:37 AM – I hope you locked your door

Y didn't you show? I was there for half hour

8/18/12 – 2:50 AM – :(

3/2/13 – 6:59 PM – Hey love I'm back

3/16/13 – 12:09 AM – I hope everything is ok I love ubao much

3/18/13 – 1:28 PM – Can I come over...

3/18/13 – 1:30 PM – Can I come over?

3/19/13 – 6:17 PM – Call me or message me when u cam
Can

3/21/13 – 12:19 PM – Where are you

3/21/13 – 12:19 PM – Plz try to not pass your mom off. It will only
make it harder for us to see each other again.

11. The preceding messages sent from 27-28-year-old Bernal-Solis to 12-13-year-old MV1 are only a small selection of the voluminous number of chats which were automatically sent to MV1's email account. The chat conversations are incomplete and one-sided because it appears Facebook sends these one-sided chats in order to notify the other user that someone is chatting with them in the applications and the other user has not yet responded to the chat. Even observing these chats out of context and/or one-sided, it appears that the individual believed they were in a

romantic relationship with MV1. Additionally, as included above, some of the chats appeared to indicate Bernal-Solis and MV1 met in person in addition to their online communications.

Search of Bernal-Solis Email Account

12. On January 15, 2022, a search warrant was issued in the Eastern District of Michigan for the contents of the AOL email account utilized by Bernal-Solis. A search of this email account showed numerous communications between Bernal-Solis and MV1 over the course of their relationship, with the earliest recorded email taking place in May of 2013, when MV1 was 14 years old.

13. The contents of this email account were consistent with the review of MV1's email account and contained many of the same emails previously viewed in the search of the victim's email account. Although no CSAM was viewed in this email account, multiple images of Bernal-Solis's erect penis were observed in emails sent to MV1 while she was under the age of 16. These images were previously observed in the victim's email account.

14. This AOL email account, which was utilized by Daniel Bernal-Solis, received various automated messages from Facebook. These automated messages are a normal part of Facebook usage when an email is associated with a user account.

15. This email account contained multiple requests sent by MV1 through Skype for Bernal-Solis to join her in a Skype session/call. These requests were sent

in 2012, when MV1 was 13 years old. In June 2022, a search warrant was issued in the Eastern District of Michigan for the contents of the Skype accounts utilized by Bernal-Solis and MV1. However, the accounts contained nothing other than simple subscriber information, and no longer contained any substantive data to review.

Search of Facebook Accounts

16. On November 14, 2022, a search warrant was issued in the Eastern District of Michigan for the contents of Bernal-Solis's and MV1's Facebook accounts. On January 27, 2023, Facebook provided the requested information.

17. The accounts contained a voluminous number of communications between Bernal-Solis and MV1. Below is an example of the information reviewed:

7/28/2015 - Chats between 30-year-old Bernal-Solis and 16-year-old MV1, at approximately 2:30 AM

Bernal-Solis – Hey call me

MV1 – (sends selfie of face)

MV1 – (Sends 4 non-sexual images of a child)

MV1 - **** *** (MV1) called you

MV1 – Wait I have 2 install Skype

[Approximately 20 mins later...]

MV1 – Heeeeeey

Bernal-Solis – Hey

Bernal-Solis – U looked so good

MV1 – So u gonna finish lol???

Bernal-Solis – Yeah

Bernal-Solis – I rather finish in pikachu or your mouth\

MV1 – Idk how I look good

Bernal-Solis – Very good

Bernal-Solis – I want u si bad

Bernal-Solis – So so bad

18. The conversation above shows MV1 and Bernal-Solis arranging a video call on Skype and discussing the call immediately afterwards. The call appeared to be sexual in nature since Bernal-Solis was telling MV1 how good she looked, and the two discussing how Bernal-Solis was going to “finish,” to include Bernal-Solis’s preference to “finish” in MV1’s vagina. The video all appeared to be sexual in nature, to include the discussion of Bernal-Solis’s ejaculation.

19. The preceding chats show an ongoing intimate relationship between MV1 and Bernal-Solis. Although MV1 was 16 years old at the time of these Facebook conversations, the two appeared to be engaged in sexual video calls, as well as the continued arrangement of sexual encounters.

Search Warrant at Bernal-Solis’s Residence

20. On September 18, 2023, a search warrant was issued in the Eastern District of Michigan, and was executed at the residence believed to be occupied by Bernal-Solis, in Detroit, Michigan, on September 19, 2023. During the search, multiple electronic devices were seized, however, so far only a limited examination could be conducted by investigators.

Interview of Bernal-Solis During Search

21. Bernal-Solis was interviewed by agents during the search of the residence. He provided his name, date of birth, and new address. Bernal-Solis then told agents he wished to speak to an attorney and did not want to answer questions. All questioning ceased at that time.

Interview of Family Members

22. Bernal-Solis's family members were interviewed during the search. His brother, hereinafter Brother, recognized MV1 from a picture presented by agents and described her as Bernal-Solis's girlfriend from a few years ago. Bernal-Solis's mother, father, and sister-in-law were also interviewed and recognized MV1 from a picture presented by agents. They all described her as Bernal-Solis's ex-girlfriend.

CONCLUSION

23. Based on the foregoing, there is probable cause to believe that Daniel Bernal-Solis is in violation of 18 U.S.C. § 2251 (sexual exploitation of children), 18 U.S.C. § 2422(b) (online enticement of a minor), 18 U.S.C. § 2252A(a)(2) (receipt of child pornography), and 18 U.S.C. § 1470 (transfer of obscene material to a minor

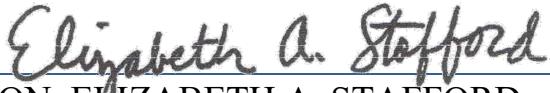
under the age of 16), and I ask the Court to issue the requested criminal complaint and arrest warrant.

Respectfully submitted,



Eli Bowers, Special Agent
Federal Bureau of Investigation

Sworn to before me and signed in my presence
and/or by reliable electronic means.



HON. ELIZABETH A. STAFFORD
UNITED STATES MAGISTRATE JUDGE

Date: September 19, 2023